

REMARKS

With this Response, no claims are amended, added, or canceled. Therefore, claims 1-25 are pending.

CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 1, 4-8, 11-18, and 22-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0169722 of Petrus et al. (*Petrus*). Applicants respectfully submit that the Office Action fails to set forth a *prima facie* case of obviousness of these claims for at least the following reasons.

Applicants note that the Office Action merely copied the claim language as a whole block, without reference to elements or limitations of the claims, and referred to sections of *Petrus* that are purported to disclose the subject matter of the claims as a whole. Applicants point out as in previous Responses that as per MPEP § 2131, to establish a *prima facie* case of anticipation, the Office Action **must** show evidence to suggest that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." The Office Action fails to meet its burden in establishing a *prima facie* case of anticipation under MPEP § 2131, at least because the Office Action fails to address elements of the claimed invention, and so fails to show evidence to suggest that each and every element of the claimed invention is present in the cited reference.

The Office Action fails to point with any particularity to what in the cited reference is purported to disclose each and every element of the claimed invention. For example, claim 1 recites the following:

a communication device establishing a wireless communication session with a remote user terminal, the wireless communication session having associated therewith a **session time limit**;

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the communication device detecting a session renewal; and
the communication device altering the session time limit in response to
detecting the session renewal.

Claim 8 similarly recites a session renewal and further recites renewing the session. Claim 15 similarly recites altering the session time limit. Applicants are unable to determine from the Office Action what is purported to disclose, as possible examples, a session renewal or altering a session time limit, as recited in the independent claims. Applicants are unable to respond to an incomplete Office Action that fails to address the elements of the claimed invention. Because the Office Action fails to provide a prima facie case of anticipation, as per MPEP § 2131, Applicants have no duty to respond.

If the present rejection is to be maintained in a future Office Action, or if a new rejection is to be issued, Applicants respectfully request that the Office Action address each limitation of the claimed invention, and point with specificity and reasoning to a section of the cited reference and provide an explanation of how the specified section is purported to disclose the particular limitation of the claimed invention.

CONCLUSION

Applicants are unable to understand how the cited reference is purported to disclose or suggest the invention as recited in the claims. To the extent that Applicants have understood the rejections and the cited reference, the Office Action has failed to establish that the claim limitations are disclosed in the cited reference. According to MPEP 2131, a proper anticipation rejection requires that the cited reference disclose all claim limitations; therefore, Applicants respectfully submit that rejection of the claims under the cited reference is improper.

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

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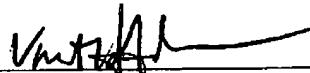
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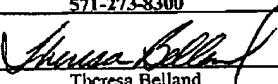
Respectfully submitted,
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Date: September 30, 2005


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I hereby certify that this correspondence is being facsimile transmitted on the below date to the
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